

JAN 20 2015

FCC Mail Room

Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly
c/o Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

January 13, 2015

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Re: Comments in ET Docket No. 14-165 and GN Docket Nos. 12-268 and 14-166 Via Electronic Filing

Dear Chairman Wheeler, Commissioner Clyburn, Commissioner Rosenworcel, Commissioner Pai, Commissioner O'Rielly and Ms. Dortch,

On behalf of Theatrical Outfit, located in Atlanta, Georgia, that provides approximately 100+ performances a year to 16,000 audience members and education programs to 50+ students (OUR VISION: Creating compassion – one story at a time; OUR MISSION: Starting the conversations that matter), I write with concern about protection for our wireless microphones and backstage communications devices.

I understand the Commission has ruled that performing arts entities that regularly use 50 or more wireless devices will be eligible to apply for a Part 74 license. I've also learned that the FCC is seeking Comment on a proposed rule that would prevent performing arts entities using fewer than 50 wireless devices from participating in the database. This would leave my organization without any interference protection mechanism from the many TV Band Devices that may soon flood the market. Frequency coordination with other known wireless microphone users has become common practice, but there is no way to coordinate with TVBD's if you don't know about them.

Thousands of performances are held by professional performing arts organizations each year and the use of wireless microphones is both essential to producing high-quality performances and also mitigates against significant public safety concerns. Professional wireless capability, with successful interference protection, is essential to our sector.

[The FCC is seeking the following information from performing arts organizations, insert here in narrative form:]

The information that the FCC has requested follows:

- What type of wireless devices do you use?
 - microphones
 - Assisted Listening Devices
- How many units do you use in a typical presentation or performance? **2-23**
- How frequently do you offer presentations that use wireless devices?

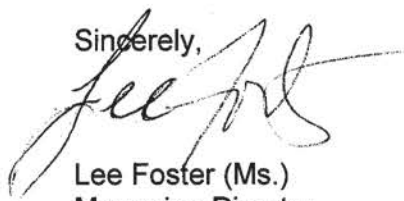
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- **3-4 shows a year (roughly 28 weeks) plus potential rental events in the space.**
- What bands and channels do you use?
 - **VHF (channels 2-13, 54 MHz to 216 MHz)**
 - **Low UHF (channels 14-36, 470 to 608 MHz)**
- Are your microphones able to tune to more than one frequency?
 - **72 - 76 MHz**
 - **554 - 590 MHz**
- Which of your devices are outside the TV bands? What frequencies do they use?
 - **N/A**
- Which of your wireless devices are analog and which are digital?
 - **All devices are analog.**
- Do you own or rent your wireless equipment?
 - **The aforementioned equipment is owned, but renters of the venue also bring in equipment.**
- For equipment that you own, what is its reasonable life expectancy?
 - **5-7 years**
- How did you handle the move out of the 700 MHz band?
 - **Several guitar bugs and a wireless com system became unusable after the move. None of this equipment was replaced; we didn't have the funds.**
- How much did it cost?
 - **Total cost of equipment that was unusable after the move was roughly \$3500.**
- How long did it take for you to retune or replace all of your devices?
 - **Devices were taken out of service and not replaced.**
- What can the FCC do to ensure that wireless microphone users transition to new, more efficient devices to the full extent possible? [An arts organization might suggest reimbursement of the expense as well as that the quality of the new devices would have to satisfy performance standards.]
 - **Reimbursement of expenses on the purchase of comparable equipment to what is currently in use. It was a very painful transition.**
- What would persuade you to move out of the TV band?
 - **Same as above.**

I appreciate that the Commission has sought Public Comment on these very important issues. Professional performing arts organizations should all have some sort of interference protection. While some entities will be protected by access to the geo-location database, many professional performing arts organizations will not under this plan. Further, I would request that the Commission consider the burden already borne by the performing arts community in vacating the 700 MHz band. I am concerned about the cost of once again replacing my theatre's sound equipment.

Performing arts organizations provide demonstrable service to the public in improving quality of life; preserving our cultural heritage; and in providing education, enlightenment, entertainment. They also contribute to local economies in every community across this country. I respectfully request that the Commission maintain access to interference protection and establish a mechanism to reimburse performing arts organizations for the cost of new equipment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Foster', with a stylized flourish extending from the end.

Lee Foster (Ms.)
Managing Director
Theatrical Outfit
84 Luckie Street NW
Atlanta, GA 30303